

REMARKS

Reconsideration and withdrawal of all grounds of rejection in the Office Action and allowance of all the pending claims in this application are respectfully requested in light of the above amendments and the following remarks. Claims 1-18, as shown above, remaining pending herein.

(1) Claims 3, 6, 11 and 14 stand rejected under 35 U.S.C. §112, first paragraph because it is alleged that the term “twice selected” is not supported by the specification.

Applicants have amended these claims to recite that certain respective pre-chosen findings are selected a second time, and it is when the second selected respective pre-chosen finding is received does the method/program remove said second selective pre-chosen finding from the medical report. The specification, at least at page 12, lines 1-4, clearly provides support for this recitation in claims 3, 6, 11 and 14.

Reconsideration and withdrawal of this ground of rejection are respectfully requested.

(2) Claims 1-18 stand rejected under 35 U.S.C. §102(e) as allegedly anticipated by Bosch (U.S. 6,519,601). It is respectfully submitted that this ground of rejection is traversed for the reasons indicated herein below.

Claims 1, 8, 9, 16, 17, and 18 have been amended to recite, *inter alia*, that the displayed pre-chosen findings are **non-patient specific and** the medical report comprises a summary section **with information regarding a specific patient**. This recitation is distinguishable from Bosch, of which Figure 14 was cited by the Office Action allegedly to show that pre-chosen findings and a medical report were simultaneously displayed.

However, it is clear from our study of Fig. 14 that this Figure is merely a search screen with two different types of general criteria to search.

In contrast, the presently claimed invention permits dynamic inclusion of diagnostic findings in a report by simultaneously displaying a list of predetermined findings that are not patient specific and a medical report that is patient specific and contains data regarding the patient. The instant invention permits a practitioner to dynamically select one or more findings from the plurality of findings and load it into the medical report. Once a respective finding is selected, according to an aspect of the invention, an indication such as asterisk in the findings section indicates to the practitioner that a specific condition has been previously selected. The practitioner can remove the previously indicated finding from the medical report simply by selecting the specific asterisk indicated finding a second time.

Bosch has absolutely no specific patient information regarding name, condition, etc, and thus clearly fails to anticipate under 35 U.S.C. §102(e). Nor would a person of ordinary skill in the art have found it obvious to modify Bosch into the claimed invention, as the reference provides no teaching suggestion, motivation that can be gleaned from the reference that would have made the instantly claimed invention obvious to the artisan. Applicants also strongly disagree with footnote 1 in that the specifics regarding the data displayed are an intended use. The non-specific data and patient specific data, allows the practitioner to go through the list and identify specific listed ailments, at which point the respective selected non-specific data is marked with an indicator such as an asterisk and becomes patient specific information in abridged form in the findings section, and in a more detailed form in the medical report. It is the flexibility

of this multiple display that allows the practitioner to fill out and/or evaluate patient data with relative ease compared to prior art systems.

For at least the above reason, all of the base claims are believed to be allowable in view of Bosch. The dependent claims are allowable at least for their dependence on the base claims and because of a separate basis for patentability. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

Furthermore, the MPEP, in its explanation of an anticipation rejection under 35 U.S.C. §102, refers to the holding of the Court of Appeals in *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628,631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987), which held that:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

Reconsideration and withdrawal of this ground of rejection is respectfully requested.

Amendment
Serial No. 09/874,507

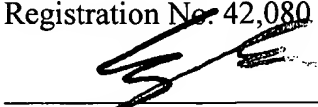
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For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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